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C O N F I D E N T I A L SECTION 01 OF 02 YEREVAN 001142

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DEPARTMENT FOR EUR/CACEN, DRL, PLEASE PASS USAID
NSC FOR DAVID MERKEL

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TAGS: [PREL](#) [PGOV](#) [AM](#)

SUBJECT: GOAM ENDORSEMENT OF COE RECOMMENDATIONS MAY TEMPT
OPPOSITION BACK TO PARLIAMENT

Classified By: Ambassador John M. Evans for reasons 1.4 (b,d).

SUMMARY

1. (C) Armenia's delegation to the Council of Europe (CoE) announced June 24 that it would accept almost all CoE Venice Commission recommendations as part of the country's constitutional reform process. High-level endorsement of the move is the most encouraging sign to date that the GOAM is taking the process seriously and understands the need for decentralization of power and a more independent judiciary. Despite resistance on the part of some GOAM officials, Post has learned that National Assembly Speaker Arthur Baghdasaryan and National Assembly Deputy Speaker Vahan Hovanissian have pushed hard -- and even threatened to take action -- if the CoE recommendations were not part of the GOAM package. The move appears to be increasing pressure on the opposition to end its boycott of parliament and engage in discussion of the amendments before the GOAM submits its revised text to the Venice Commission on July 7. End Summary.

GOAM DELEGATION COMMITS TO VENICE COMMISSION POINTS

2. (C) Armenia's delegation to the Council of Europe announced June 24 that it would accept almost all CoE Venice Commission recommendations as part of the country's constitutional reform process. In a widely-circulated CoE working group document, the GOAM delegation committed to adopt Venice Commission amendment language affecting the Ombudsman, presidential immunity, dismissal of the Prime Minister, dissolution of the National Assembly, appointment of judges and the office of Yerevan's mayor. The changes will limit the broad powers of the executive branch and reflect the majority of recommendations that international organizations and bilateral missions -- including the USG -- have been raising with the GOAM.

COALITION AND OPPOSITION PART OF THE PUSH

3. (C) Despite early signs of resistance on the part of some GOAM officials, Post has learned that governing coalition leaders have pushed hard -- and even threatened to take action -- if the CoE recommendations were not part of the GOAM package. NDI Country Director Chad Rogers told the Ambassador July 28 that National Assembly Speaker Arthur Baghdasaryan had threatened to pull his Orinats-Yerkir (Country of Law) Party from the coalition if the GOAM did not adopt the full slate of CoE endorsements. Armenian Revolutionary Federation (ARF-Dashnaksutyun) Bureau representative Giro Manoyan told us June 27 that Deputy Speaker Vahan Hovanissian had made strong threats (stopping just short of Baghdasaryan's) during meetings over the weekend with his counterpart, Deputy Speaker (and Republican Party leader) Tigran Torossian. The clear support of Justice Minister David Harutiunian, who was part of the Strasbourg working group meeting, is an additional sign that the highest political forces had blessed the set of constitutional amendments.

4. (C) The move appears to be increasing pressure on the opposition to end its boycott of parliament and engage in discussion of the amendments before the GOAM submits its revised text to the Venice Commission on July 7. In a rare deviation from their talking points about Kocharian's "illegitimacy," opposition leaders have also entered the discussion of the amendments package. Justice Bloc MP (and GOAM CoE delegate) Shavarsh Kocharyan (no relation to President Robert Kocharian) called on opposition leaders June 28 to end their boycott of parliament and join discussion of the amendments package. Opposition leaders made similar noises following their meeting with CoE Ago Group representatives, led by Ambassador Wegener, in Yerevan on June 28. Local newspapers and pundits are speculating that

Kocharyan's plea for dialogue may be the first sign that the opposition will abandon its calls for "revolution" and move back into political structures (especially parliament).

COMMENT: PRE-JULY 7 DISCUSSION THE REAL PROOF

15. (C) The GOAM now has until July 7 to integrate the CoE recommendations into the package of amendments currently under consideration in the National Assembly. The next few weeks will prove how far the GOAM is willing to go -- beyond the rhetoric of the past week -- in curbing the powers of the executive branch. One of the key indicators will be whether or not the National Assembly actually edits the amendments to make the Mayor of Yerevan an elected position, although this could be accomplished by other legislation. Experts in Yerevan (including USAID observers) consider this point to be a true indicator of the government's commitment to balance of power in Armenia. Post has been frustrated by the unwillingness of GOAM officials (including Deputy Speaker Torossian) to engage the public in a discussion of the amendments to date. Our assistance programs (including Democracy Commission grants) will help take this dialogue to the public in an effort to inform the public about the specific CoE recommendations and the need for a more equitable distribution of powers.

16. (C) Comment continued: The period before July 7 will also speak volumes about the state of Armenia's opposition. It has been difficult to gauge the full extent of the fissures caused by petty bantering in the press over the past 12 months. How they mobilize, and who emerges as the leader on substance, will be a good indicator of how much life is left in the increasingly marginalized opposition. Now that opposition and GOAM figures have portrayed discussion of the constitutional amendments as an "historic moment" for democracy in Armenia, the opposition has an opportunity to end its boycott of parliament without appearing to endorse Kocharian and his administration. We will continue to press all sides to "do the right thing."
EVANS